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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/576,684 Confirmation No. : 4662  
 First Named Inventor : Thomas GREINER-STOEFFELE  
 Filed : April 20, 2006  
 TC/A.U. : To Be Assigned  
 Examiner : To Be Assigned  
 Docket No. : 102520.57766US  
 Customer No. : 23911  
 Title : Method From the Selection of Biomolecules From Biomolecule Variant Libraries

**INFORMATION DISCLOSURE STATEMENT  
UNDER 37 C.F.R. §§ 1.97 AND 1.98**

Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, the attached Form PTO-1449 lists documents which the Examiner may deem relevant to patentability of the claims of the above-identified application.

**I. Time Period of Submission**

This Information Disclosure Statement is submitted:

1) no later than three months from the application's filing date or 2) before the mailing date of the first Office Action on the merits (whichever is later) or 3) before a first Office Action after the filing of a Request for Continued Examination, and therefore no statement under 37 C.F.R. § 1.97(e) or fee under 37 C.F.R. § 1.17(p) is required.

2) after the later of three months from the application's filing date and the mailing date of the first Office Action on the merits, but before a Final Office Action, a Notice of Allowance, or an action closing prosecution (*Ex parte Quayle*), (whichever is earlier), and therefore Applicant is filing concurrently herewith:

- a Statement under 37 C.F.R. § 1.97(e); or
- a fee in the amount of \$180.00 under 37 C.F.R. § 1.17(p).

3) after either a Final Office Action or a Notice of Allowance, but before payment of the Issue Fee, and therefore Applicant is submitting herewith:

a Statement under 37 C.F.R. § 1.97(e); and

a fee in the amount of \$180.00 under 37 C.F.R. § 1.17(p).

II. Statement Under 37 C.F.R. § 1.97(e)

I hereby state that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement; or

I hereby state that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to my knowledge after making a reasonable inquiry, no item of information contained in this Information Disclosure Statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement; or

III. Statement under 37 C.F.R. § 1.704(d)

I hereby state that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart application and that this communication was not received by any individual designated in 37 C.F.R. § 1.56(c) more than thirty days prior to the filing of this Information Disclosure Statement.

IV. Submission of Non-English Language Documents

The following is a concise explanation of relevance of the non-English language documents listed in the attached Form PTO-1449:

The relevance of document(s) B1 to the subject matter of the present invention is/are provided in the specification of the above-identified application.

Corresponding foreign or international report(s) citing document(s) \_\_\_\_\_, together with an English-language version(s) (if not already in English) of that portion of the report(s) indicating the degree of relevance found by the foreign office(s) is/are submitted.

English language family member publication(s) of document(s) \_\_\_\_\_ is/are noted on Form PTO-1449.

English language abstract(s) is/are submitted for document(s)  
**B1.**

English translation(s) of the foreign language document(s)  
is/are submitted herewith.

Applicant submits the following explanations:  
\_\_\_\_\_

V. Continuations/Divisionals

Documents \_\_\_\_\_ were of record in parent application Serial No.  
\_\_\_\_\_, filed \_\_\_\_\_, from which this application claims benefit. As  
provided in 37 C.F.R. §1.98(d), copies of the documents are not being provided  
since they were previously submitted to or cited by the United States Patent and  
Trademark Office in the afore-mentioned parent application.

The submission of the listed documents is not intended as an admission  
that any such document constitutes prior art against the claims of the present  
application. Applicant does not waive any right to take any action that would be  
appropriate to antedate or otherwise remove any listed document as a competent  
reference against the claims of the present application.

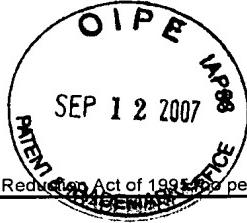
If necessary, this paper should be considered as an authorization to charge  
Deposit Account 05-1323, Attorney Docket No.: 102520.57766US, for the fee set  
forth in 37 C.F.R. § 1.17(p).

Respectfully submitted,

September 12, 2007

  
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PTO/SB/08a (09-06)

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 Substitute for form 1449A/PTO				<b><i>Complete if Known</i></b>	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> <i>(Use as many sheets as necessary)</i>				Application Number	10/576,684
				Filing Date	April 20, 2006
				First Named Inventor	Thomas GREINER-STOEFFELE
				Art Unit	To Be Assigned
				Examiner Name	To Be Assigned
Sheet	1	of	2	Attorney Docket Number	
102520.57766US					

## **U.S. PATENT DOCUMENTS**

## **FOREIGN PATENT DOCUMENTS**

Examiner Initials'	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>8</sup>
		Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)				
	B1	DE 196 46 372 C1	06-19-1997	EVOTEC BioSystems GmbH		ABS

Examiner Signature		Date Considered	
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**\*EXAMINER:** Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Substitute for form 1449B/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  <i>(Use as many sheets as necessary)</i>				<b>Complete if Known</b>	
				Application Number	10/576,684
				Filing Date	April 20, 2006
				First Named Inventor	Thomas GREINER-STOEFFELE
				Art Unit	To Be Assigned
				Examiner Name	To Be Assigned
Sheet	2	of	2	Attorney Docket Number	102520.57766US

NON PATENT LITERATURE DOCUMENTS				
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.		
	C1	Zaccolo, M and Gherardi, E., "The Effect of High-Frequency Random Mutagenesis on in Vitro Protein Evolution: a Study on TEM-1 beta-Lactamase", J. Mol. Biol., 1999, Academic Press, pp. 775-783, Vol. 285. (Article No. jmbi.1998.2262 available online at <a href="http://www.idealibrary.com">http://www.idealibrary.com</a> )		T <sup>2</sup>
	C2	Cadwell, R.C. and Joyce, G.F., "Randomization of Genes by PCR Mutagenesis", PCR Methods and Applications, Vol. 2, pp. 28-33, 1992, by Cold Spring Harbor Laboratory ISSN 1054-9803/92.		
	C3	Eigen, M., McCaskill, J., and Schuster, P., "The Molecular Quasi-Species", Advance In Chemical Physics, 1989, John Wiley & Sons, Inc., pp. 149-263, Vol. LXXV.		
	C4	Joo, H., Lin, Z. and Arnold, F.H., "Laboratory Evolution of Peroxide-Mediated Cytochrome P450 Hydroxylation", Nature, 17 June 1999, Macmillan Magazines Ltd., pp. 670-673, Vol. 399. ( <a href="http://www.nature.com">www.nature.com</a> – letters to nature).		
	C5	Korbel, G.A., Lalic, G., and Shair, M.D., "Reaction Microarrays: A Method for Rapidly Determining the Enantiomeric Excess of Thousands of Samples", J. Am. Chem. Soc., 2001, pp. 361-362, Vol. 123.		
	C6	Samuelson, J.C. and Xu, S.Y., "Directed Evolution of Restriction Endonuclease BstYI to Achieve Increased Substrate Specificity", J. Mol. Biol., 2002, Elsevier Science Ltd., pp. 673-683, Vol. 319.		
	C7	Xia, G., Chen, L., Sera, T., Fa, M., Schultz, P.G., and Romesberg, F.E., "Directed Evolution of Novel Polymerase Activities: Mutation of a DNA Polymerase into an Efficient RNA Polymerase", Proc. Natl. Acad. Sci., 2002, pp. 6597-6602, Vol. 99, No. 10, USA.		

Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

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